



PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/714,317	
	Filing Date	November 14, 2003	
	First Named Inventor	Gerald J. Tomlinson	
	Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	50	Attorney Docket Number	25570-48695

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	IDS Citation PTO 1449; Four (4) Foreign References With English Translation; Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b> This patent application, no. 10/714,317 is a Continuation of serial no. 09/908,106 filed 07/18/2001 which is a Continuation of serial no. 09/090,445 filed 06/04/1998 now abandoned.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual	James D. Ryndak, Ryndak & Suri, 30 N. LaSalle Street, Suite 2630, Chicago, IL 60602	
Signature		
Date	February 17, 2004	

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Typed or printed	James D. Ryndak, Reg. No. 28,754	
Signature		Date 02/17/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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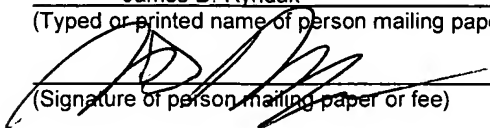
Appl. Serial No. 10/714,317

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James D. Ryndak

(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Gerald J. Tomlinson  
Serial No.: 10/714,317  
Filed: November 14, 2003

For: **INDIVIDUAL PORTION FOOD DELIVERY  
SYSTEM, CONTAINER AND METHOD**

Group Art Unit: Unknown  
Examiner: Unknown

Attorney Docket No.: 25570-48695

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: 09/908,106

Filing Date: 07/18/2001

Which application is a continuation of:

Serial No: 09/090,445 (now abandoned)


Filing Date: 06/04/1998

Regarding the documents listed on the attached PTO-1449, Applicant believes the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant reserves the right to contest the prior art status of any document cited herein.

Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449.

Pursuant to 37 C.F.R. 1.97(b), this Statement is being filed before the mailing date of a first Office Action on the merits. No fee is required. However, if this Statement is not filed before the mailing date of a first Office Action on the merits, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 50-0503 for consideration of this Statement.

Respectfully submitted,

By:   
James D. Ryndak  
Reg. No. 28,754  
Attorney for Applicant

Dated: February 17, 2004

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PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/714,317
Filing Date	11/14/2003
First Named Inventor	Gerald J. Tomlinson
Art Unit	
Examiner Name	
Attorney Docket Number	25570-48695

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 277467	05-1883	Quillfeldt	
		US- 1969486	06-1932	Kurz	
		US- 2225184	12-1940	Selby	
		US- 2447281	08-1948	Schneir	
		US- 2739751	03-1956	Bailey	
		US- 2752971	07-1956	Tupper	
		US- 3341089	09-1967	Pearsall	
		US- 3442435	05-1969	Ludder et al.	
		US- 3566929	03-1971	Mead	
		US- 3693673	09-1972	Oates	
		US- 3720522	03-1973	Nakagami	
		US- 3720524	03-1973	Nakagami	
		US- 3732903	05-1973	Oates	
		US- 3821425	06-1974	Russell	
		US- 3842975	10-1974	Chang	
		US- 3990752	11-1976	Hoffman et al.	
		US- 4008740	02-1977	Chermack	
		US- 4472440	09-1984	Bank	
		US- 4617778	10-1986	Blackman	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		JP 9220068A	08-1997	Shiozaki et al.		<input checked="" type="checkbox"/>
		FR 2299841A	10-1976	Barilari		<input checked="" type="checkbox"/>
		FR 2648696A	12-1990	Wattebled		<input checked="" type="checkbox"/>
		FR 2668121A	04-1992	Martin-Glinel		<input checked="" type="checkbox"/>
						<input type="checkbox"/>
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Sheet 2 of 2

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- D291779	09-1987	Inaba	
		US- 4785607	11-1988	Blackman	
		US- 4818114	04-1989	Ghavi	
		US- 4877067	10-1989	Shimokawa et al.	
		US- 4943440	07-1990	Armstrong	
		US- 4972886	11-1990	Bernstein	
		US- 5137208	08-1992	Wang et al.	
		US- 5300308	04-1994	Louridas	
		US- 5705212	01-1998	Atkinson	
		US- 5818016	10-1998	Lorence et al.	
		US- 5871116	02-1999	Picchiatti	
		US- 5987913	11-1999	Andrzejczak	
		US- 6302268	10-2001	Michali	
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
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